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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/256,624	02/23/1999	GOPAL PARUPUDI	1630	1052

7590                    06/17/2004

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EXAMINER

DINH, DUNG C

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 06/17/2004

20

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/256,624 Dung Dinh	PARUPUDI ET AL. Art Unit 2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 April 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3,5-8,23-30 and 44-58 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 44-47,52 and 53 is/are allowed.
- 6) Claim(s) 1-3,5-8,23-30,48-51 and 54-57 is/are rejected.
- 7) Claim(s) 58 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

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**DETAILED ACTION**

Claims 1-3, 5-8, 23-30, 44-47 and new claims 48-58 are present for examination. (Claim 9 was cancelled in Amendment A filed 9/17/01 (paper #4)).

***Response to Arguments***

Applicant's arguments filed 4/20/04 have been fully considered but they are not persuasive.

Applicant argues that Angal does not teach the client includes condition information when registering for event notification. Applicant argues that because the filters in Angal are written in CMIS syntax, they must be written by an administrator and placed in the filter table, and that then a listener subscribes to it. The argument is not persuasive because Angal discloses that there is a one to one correspondence between a filter and a subscriber (col.5 lines 48-49). If the filters are pre-written, then each filter would potentially corresponds to plural subscribers that are interested in the condition described by that filter. The fact that there is a one to one correspondence between the filters and the subscribers suggest that the client devices provided the filters when they subscribed for event notification. This view is supported by document from Sun's documentation website, which

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discloses the SubscribeFilter function having a parameter that is a CMIS filter string containing event type and condition. (See attached "SubscribeFilter" from section 14.36 of Sun's Solstice Enterprise Manager Administration Guide). Angal specifically discloses each filter specifying condition corresponding to event required by the listener (col.5 lines 45-47). Hence, Angal's filter inherently specifies the type of event and a further condition as claimed.

As per claim 23, applicant argues that the reference does not teach matching of event notification based on at least the type of event. The argument is not persuasive because the step is inherent in the process of processing the filters. Angal specifically disclose processing based on event type (see col.6 lines 5-8, lines 42-50).

As per the argument concerning the combination of Gani and Angal is not persuasive. The usage and advantage of object or component in programming is well known in the art. Gani is used for such evidence. Furthermore, Angal discloses using Java and Jini programing language (col.1 line 24). These are object-oriented languages. Hence, if not inherent, it would clearly been obvious to use event class object.

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --*

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 3, 6, 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Angal et al. (US 6,298,378).**

As set forth in claims 1, Angal discloses a system for providing notifications of computer system events to clients; see col. 4, lines 47-64 (these lines describe some of the events for which the system fires off a notification), comprising a central service (the system uses the MIS management information server 104, and the Event Distribution System (EDS) 108) configured to monitor for system events including at least one system event corresponding to whether network connectivity has changed state and to fire event notifications in response thereto (the system notifies the "listeners" in the system when a system has come on-line or gone off-line), including at least one event notification when a network is established, a registrations mechanism for clients to register for notification

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of one or more types of events; see col. 5, lines 1-41, also see col. 6, lines 31-52, (these lines discuss the usage of a list of listeners who will receive the information, the MIS and the EDS systems can function together in order to filter out and provide the listener with the requested information), including at least one client registered for network connectivity event notification, and a distribution mechanism that communicates a fired event notification to each client registered for notification thereof based on the type of event notification (col.5 lines 27-41), wherein the client registers for notification for a type of event (each of the examples listed on col.4 lines 52-60, e.g. "on-line", "off-line", etc., is a 'type' of event), and include condition information therewith and the distribution includes a filtering mechanism for selectively communicating an event notification based on at least one condition that specifies a further condition (col.5 lines 45-51 "... conditional statements corresponding to events required by the listener").

As set forth in claim 3, Angal discloses a notification which includes activating, starting, or running a program or script (the system will respond to various system notifications,

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such as an alarm, this will trigger a response that is embodied in a program).

As set forth in claim 6, Angal discloses a system wherein the central service receives at least some of the system events from an operating system (in the list of system events provided by the Angal, at least quality of service alarms can come from an OS, additionally any of the other events discussed in col. 4, can come from the OS of the device connected to the network).

As set forth in claim 8, Angal discloses a system event which includes information related to the logon state of the machine; see col. 4, line 53, (this line indicates that the system notifies other systems when a device has come on-line).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

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*Patentability shall not be negated by the manner in which the invention was made.*

**Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Angal et al. (US 6,298,378) and further in view of Marrington et al. (US 4,868,832).**

As set forth in claim 7, Angal does not specifically disclose the system event includes information related of the power state of the machine. Angal discloses generally to provide event for equipment alarms (col.4 line 54). It is well known in the art the equipment alarms includes power state of the machine. Marrington teaches a system with power state monitor to generate power state event so as to enable the user to take precautionary action when the system switch to battery power. It would have been obvious for one of ordinary skill in the art to have a power state event in Angal because it would have improved the safety of the system to enable user to take appropriate precaution before the power failed.

**Claims 2, 5, and 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angal et al. (US 6,298,378) in view of Gani et al. (The Object Revolution How COM technology is changing the way we do business).**

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Regarding claims 2, 5, and 23, Angal discloses a central service which is a publisher and clients which are subscribers (listeners) and the registration mechanism and distribution mechanism incorporated within a loosely coupled events database (the MIS and EDS systems).

Angal does not disclose having an event class object. Gani discloses using class objects in a system; see page 108. It would have been obvious to a person of ordinary skill in the art at the time this invention was made to have provided the system of Angal, with the means for using Object Class language, as taught by Gani. The rationale is as follows: It would have been desirable to deliver information in a faster and more cost-effective manner. As Gani teaches the desirability of using an Object oriented system, one of ordinary skill would have been motivated by Gani's teaching to have provided the system of Angal, with an object oriented system, thereby having provided faster means for sending notification of events.

As set forth in claim 24, Angal discloses a system wherein the client registers for notification of a type of event with the registration mechanism and includes condition information therewith. See col. 5, lines 35-55.

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As set forth in claim 25, Angal discloses a system wherein the central service receives at least some of the system events from an operating system (in the list of system events provided by the Angal, at least quality of service alarms can come from an OS, additionally any of the other events discussed in col. 4, can come from the OS of the device connected to the network).

As set forth in claim 26, Angal discloses a computer-readable medium wherein the system information includes information related to a network state (the system indicates whether the system is on-line or not).

As set forth in claim 27, Angal discloses a computer-readable medium wherein the network is a wide area network, and wherein the step of receiving system information at a central service comprises the step of receiving remote access services events; see col. 4, line 48-col. 5, line 15, and see col. 1, lines 46-64 (the system is connected to large networks, such as the internet and therefore operates on that scale).

As set forth in claim 28, Angal discloses a computer readable medium wherein the network is a LAN, and having further computer-executable instructions for performing the step of caching network information corresponding to activity on the

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LAN; see col. 4, line 48-col. 5, line 15, and see col. 1, lines 46-64 (limited networks are contemplated in Angal).

As set forth in claim 29, Angal discloses a computer-readable medium having further computer-executable instructions for performing the step of evaluating cached network information to determine the state of network connectivity (the system will indicate when the system goes on-line, off-line).

As set forth in claim 30, Angal discloses a computer-readable medium wherein the central service publishes an event when the state of network connectivity has changed from a previous value thereof (the system will indicate when the system goes on-line, off-line).

**Claims 48-59, 51 and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angal and further in view of Sun's Solstice Enterprise Manager Administrative Guide.**

As per claim 48, Angal discloses a system for providing notifications of computer system events to clients; see col. 4, lines 47-64 (these lines describe some of the events for which the system fires off a notification), comprising a central service (the system uses the MIS management information server 104, and the Event Distribution System (EDS) 108) configured to

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monitor for system events and to fire event notifications in response thereto (the system notifies the "listeners" in the system when a system has come on-line or gone off-line), a registration mechanism for clients to register for notification of one or more types of events; see col. 5, lines 1-41, also see col. 6, lines 31-52, (these lines discuss the usage of a list of listeners who will receive the information, the MIS and the EDS systems can function together to process event types and to filter out and provide the listener with the requested information), and include condition information therewith and the distribution includes a filtering mechanism for selectively communicating an event notification based on at least one condition that specifies a further condition (col.5 lines 45-51 "... conditional statements corresponding to events required by the listener", CMIS syntax). It is not clear whether Angal's filter specifies an event type and a further condition for firing an event notification.

Angal is a patent from Sun Microsystem Inc. for improving event notification in network management. Solstice Enterprise Manager Administration Guide (the Guide) is product from Sun Microsystem Inc. Section 14.36 discloses a SubscribeFilter function for registering for an event notification. The

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function takes a CMIS filter string as a parameter. Page 14-34 discloses an example of a registration function call containing a CMIS filter string comprising an event type "equality: {eventType, internetAlarm}" and a further condition "equality: {objectClass, mosi}". Since Angal also uses CMIS filter, it is apparent that Angal's filter contains an event type and a further condition as shown in the Guide. It would have been obvious for one of ordinary skill in the art in using the invention of Angal to subscribe for event notification using CMIS filter comprising an event type and a further condition as shown in the Guide because it would have maintained compatibility among Sun's products. It is inherent in the system as modified that event notification is only fired if the event type and the further condition is satisfied.

As per claim 49, it is an implied condition that the event notification is sent to the client only when the client is executing. If the client is not executing, the subscription would be invalid because there would be no recipient to receipt the event notification. It would have been obvious for one of ordinary skill in the art to cause event notification to be sent only if the client is executing because it would have wasted

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resource to send notification to a client that is not able to receive it.

As per claim 51, it is inherent that the event notification is sent until the client unsubscribe or no longer executing (i.e. power-off, disconnect from the system, etc.). It would have been obvious for one of ordinary skill in the art to cause event notification to be sent until the client is removed from the system because it would have enable the client to receive up-to-date notice of event that meet the filter.

As per claim 54, it is rejected under similar rationale as for claim 48 above.

As per claim 55, the Guide disclose event various hardware status event types (see page 10-34). Angal and the Guide does not specifically disclose monitoring for battery charge and notifying the client only if battery charge decreases below a specified percentage. The type of event monitoring for would have been a matter of design choice depending upon an application at hand. It is well known in the art to monitor for battery charge and notify when battery charge is below certain percentage (e.g. low power notification on laptop or portable computers). It would have been obvious for one of ordinary skill in the art to monitor for battery charge and generate notification only when battery charge is below a specified percentage because it would have enabled the

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system to take appropriate action to backup data or to take preventive measure.

As per claim 56, it is rejected under similar rationale as for claim 49 above.

**Claim 50 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angal and Sun's Solstice Enterprise Manager Administrative Guide and further in view of Dea et al. US patent 5,742,833.**

As per claim 57, Angal and the Guide does not disclose activate the client when event notification is generated. Dea disclose a system for saving power by permitting a client station to be in power saving state and mechanism for activating the client when event is received over the network that requires the client attention (see fig.4, col.3 lines 15-20). Hence, it would have been obvious for one of ordinary skill in the art to activate the client when event notification is generated because it would have permit the client to be in a sleep-state or power-off while waiting for the event; thereby enable the client to conserve power.

As per claim 50, it is rejected under similar rationale as for claim 57 above. The Guide disclose a filter that generate an event notification when all event of the type occur [see example

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on page 14-34 "subscribeFilter("CMPI-1.CMISFilter", "item:  
equality:{evenType, internetAlarm}"))" and example on page 14-35].

**Allowable Subject Matter**

Claims 44-47, 52-53 are allowed.

Claims 58 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Applicant's amendment necessitate the new ground of rejection hence, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this final action should be mailed to:**

**Box AF**  
Commissioner of Patents and Trademarks  
Washington, DC 20231

**or faxed to:**

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Fourth Floor (Receptionist).



Dung Dinh  
Primary Examiner  
June 9, 2004